

183.39735AP6

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that: my residence, post office address and country of citizenship are as stated below, next to my name; I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled PROSTHETIC FOOT WITH TUNABLE PERFORMANCE

the specification of which

XX is attached hereto.

_____ was filed on _____ as

United States Application Number _____
or PCT International Application Number _____

and was amended on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority
Claimed

_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	Yes	No
-------------------	--------------------	---------------------------------	-----	----

_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	Yes	No
-------------------	--------------------	---------------------------------	-----	----

I hereby claim the benefit under title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below

_____ (Application Number)	_____ Filing Date	_____ (Status -- patented, pending, abandoned)
-------------------------------	----------------------	--

_____ (Application Number)	_____ Filing Date	_____ (Status -- patented,
-------------------------------	----------------------	-------------------------------

pending, abandoned)

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>10/473,682</u> (Application Number)	<u>September 30, 2003</u> Filing Date	<u>pending</u> (Status – patented, pending, abandoned)
<u>PCT/US02/09589</u> (Application Number)	<u>March 29, 2002</u> Filing Date	<u>pending</u> (Status – patented, pending, abandoned)
<u>09/820,895</u> (Application Number)	<u>March 30, 2001</u> Filing Date	<u>patented</u> (Status – patented, pending, abandoned)
<u>10/263,795</u> (Application Number)	<u>October 4, 2002</u> Filing Date	<u>pending</u> (Status – patented, pending, abandoned)

I hereby appoint: Donald R. Antonelli, Reg. No. 20,296; Melvin Kraus, Reg. No. 22,466; William I. Solomon, Reg. No. 28,565; Gregory E. Montone, Reg. No. 28,141; Ronald J. Shore, Reg. No. 28,577; Donald E. Stout, Reg. No. 26,422; Alan E. Schiavelli, Reg. No. 32,087; Carl I. Brundidge, Reg. No. 29,621; Paul J. Skwierawski, Reg. No. 32,173; Hung H. Bui, Reg. No. 40,415; and Alfred A. Stadnicki, Reg. No. 30,226 my attorneys; all of ANTONELLI, TERRY, STOUT & KRAUS, LLP with offices located at 1300 North Seventeenth Street, Suite 1800, Arlington, Virginia 22209, telephone: (703) 312-6600, fax: (703) 312-6666; with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

Send all correspondence to:

CUSTOMER NUMBER: 020457
ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 North Seventeenth Street
Suite 1800
Arlington, VA. 22209

Direct all telephone calls and faxes to: Ronald J. Shore
TEL: (703) 312-6600
FAX: (703) 312-6666

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole/First Inventor Barry W. Townsend

Inventor's Signature [Signature] Date 4/1/04

Residence Bakersfield, California Citizenship USA
(City, State) (Country)

Post Office Address 400 Houchin Road, Bakersfield, California 93304

Full Name of Second/Joint Inventor Byron K. Claudino

Inventor's Signature [Signature] Date 4-1-04

Residence Bakersfield, California Citizenship USA
(City, State) (Country)

Post Office Address 9731 Rosedale Highway, Bakersfield, California 93312